



Los Angeles County  
Department of Regional Planning

*Planning for the Challenges Ahead*



January 21, 2016

Richard J. Bruckner  
Director

Fred Cohen  
11801 Pierce Street, Suite 246  
Riverside, CA 92505

**REGARDING: PROJECT NO. R2013-02546-(2)  
CONDITIONAL USE PERMIT NO. 201300125  
11408 New Hampshire Avenue (APN 6079-021-001; -002; -003)**

The Regional Planning Commission, by its action of **January 20, 2016**, has **APPROVED** the above-referenced project. Enclosed are the Commission's Findings and Conditions of Approval. Please carefully review each condition. This approval is not effective until the appeal period has ended and the required documents and applicable fees are submitted to the Regional Planning Department (see enclosed Affidavit of Acceptance Instructions).

The applicant or any other interested persons may appeal the Regional Planning Commission's decision. The appeal period for this project will end at 5:00 p.m. on **February 3, 2016**. **Appeals must be delivered in person.**

**Appeals:**

**To file an appeal, please contact:**  
Executive Office of the Board of Supervisors  
Room 383, Kenneth Hahn Hall of Administration  
500 West Temple Street, Los Angeles, CA 90012  
(213) 974-1426

Upon completion of the appeal period, the notarized Affidavit of Acceptance and any applicable fees must be submitted to the planner assigned to your case. In addition, any applicable CEQA fees for the Department of Fish and Wildlife shall be paid, and a Notice of Determination, if applicable, must be filed with the County Clerk according to the instructions with the enclosed Affidavit of Acceptance. Please make an appointment to ensure that processing will be completed in a timely manner. Failure to submit these documents and applicable fees within 60 days will result in a referral to Zoning Enforcement for further action.

For questions or for additional information, please contact Shaun Temple of the Zoning Permits West Section at (213) 974-6462, or by email at [stemple@planning.lacounty.gov](mailto:stemple@planning.lacounty.gov). Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,  
DEPARTMENT OF REGIONAL PLANNING  
Richard J. Bruckner

  
Mi Kim, Supervising Regional Planner  
Zoning Permits West Section

Enclosures: Findings, Conditions of Approval, Affidavit of Acceptance (Permittee's Completion), Notice of Determination (1 original, 1 copy)

c: Board of Supervisors; DPW (Building and Safety); Zoning Enforcement;  
MKK:sct

**FINDINGS OF THE REGIONAL PLANNING COMMISSION  
AND ORDER  
COUNTY OF LOS ANGELES  
PROJECT NO. R2013-02546-(2)  
CONDITIONAL USE PERMIT NO. 201300125**

1. The Los Angeles County ("County") Regional Planning Commission ("Commission") conducted a duly-noticed public hearing in the matter of Conditional Use Permit No. 201300125 ("CUP") on January 20, 2016.
2. The permittee, Ned Nik ("permittee"), requests the CUP to authorize construction and maintenance of a gas station, including a 2,900 square foot convenience store, located in the Vermont Station - Green Line Transit Oriented District and the off-site sale of beer and wine ("Project") on a property located at 11408 New Hampshire Avenue in the unincorporated community of West Athens-Westmont ("Project Site") in the C-2 (Neighborhood Business) zone pursuant to Los Angeles County Code ("County Code") Sections 22.44.450 and 22.28.160.
3. The Project Site is 0.5 gross acres in size and consists of three legal lots. The Project Site is rectangular in shape with flat topography and is undeveloped.
4. The Project Site is located in the West Athens-Westmont Zoned District and is currently zoned C-2 (Neighborhood Business).
5. The Project Site is located within the Regional Commercial land use category of the West Athens-Westmont Community Land Use Policy Map.
6. Surrounding Zoning within a 500-foot radius includes:  
  
North: C-2 (Neighborhood Business) and R-2 (Two-Family Residential)  
South: C-2  
East: C-2  
West: C-2
7. Surrounding land uses within a 500-foot radius include:  
  
North: Commercial services: gas station, termite control office, and a tire shop.  
South: Abandoned building, one single-family residence, and a large parking lot.  
East: Retail shopping plaza.  
West: Liquor store, restaurant, multi-family housing behind the commercial.
8. The subject property is vacant land and has no history of zoning entitlements.
9. The site plan for the Project depicts a gas station with a canopied fueling area with six dispensers that provide twelve fueling positions in the center west portion of the subject property. There is a 2,900 square foot convenience store located in the southeast portion of the property. There is landscaping along all the sidewalks and a 32-foot deep landscaped public space between the sidewalk and the store. There is

a total of 2,783 square feet of landscaping, which covers 12.6 percent of the lot. Eleven vehicle parking spaces are located on the west side of the store.

10. Primary access to the Project Site will be via an entrance/exit on Imperial Highway. Secondary access to the Project Site will be via an entrance/exit on New Hampshire Avenue.
11. Eleven vehicle parking spaces, one of which is ADA compliant, and six bicycle parking spaces are being provided.
12. The County Departments of Public Works, Fire, and Public Health recommended approval of this Project with conditions, which have been attached to the Conditions of Approval.
13. Prior to the Commission's public hearing on the Project, an Initial Study was prepared for the Project in compliance with the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County. Based on the Initial Study, staff from Regional Planning determined that a Negative Declaration was the appropriate environmental document for the Project because the Initial Study concluded that there was no substantial evidence that the Project would result in a significant impact on the environment.
14. Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the Zoning Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, and property posting.
15. Staff did not receive any comments from the public.
16. A public hearing was held on October 21, 2015. Staff reported that a community member had called to report that the posted notice of public hearing was no longer on-site as of October 10, 2015 and that staff visited the site on October 15 and verified that there was not a posted notice. The Commission moved that the hearing be continued to December 2, 2015, so that the applicant could meet the on-site posting requirement of 30 consecutive days.

A duly noticed public hearing was held on December 2, 2015. Commissioners Modugno, Pincetl, Smith, Louie, and Pedersen were present. Staff reported that on November 5, 2015 that the updated General Plan had become effective and as a result the Vermont Green Line Transit Oriented District was repealed meaning that a CUP was no longer required for the gas station to be constructed on the subject property; however, a CUP was still required to authorize the off-site sale of beer and wine at the convenience store. Staff also reported that a memo was sent to the Commission the week before containing a letter of opposition from Henry Porter of the Southwest Community Association stating that an additional store that offered the sale of alcohol would be a nuisance to the area and would amplify problems to an already high crime area. Commissioner Smith asked staff to update condition 33 to read, "Malt beverages (e.g. beer, ale, stout and malt liquors) shall not be sold in a

bottle or container greater than 750 milliliters or 25.4 ounces", as the standard language for that condition had recently been updated. The applicant's representative, Fred Cohen, presented testimony in favor of the request. Henry Porter of the Southwest Community Association presented testimony in opposition of the project stating that an additional store selling alcohol in that area would be problematic and would create more nuisances to the neighborhood. He also stated the conditions of the project would not be sufficient in mitigating the nuisances. Commissioner Louie stated that he would want to review the crime statistics for properties surrounding the project site and requested that staff obtain those from the Sheriff's Department. The Commission moved that the hearing be continued to January 20, 2016 to allow staff to obtain the crime statistics.

A duly noticed public hearing was held on January 20, 2016. Commissioners Modugno, Pincetl, Smith, Louie, and Pedersen were present. Staff reported the Sheriff's Department had provided the crime statistics for 10 properties surrounding the subject site for a five year period from December 2010 to December 2015 and that a memo was sent to the Commission two weeks previously with the statistics and a summary. Staff reported that there were a high number of crimes occurring at the intersection of Imperial Highway and Vermont Avenue, especially at the corner liquor store, just east of the project site. Staff recommended that a condition be added to the project requiring the applicant to acquire an existing ABC type 20 license to use for the off-site sale of beer and wine or to acquire and retire a different ABC type license before buying a new ABC type 20 license and that the applicant must acquire this license from a location within the unincorporated community of West Athens-Westmont. Commissioner Louie stated that he would prefer that the existing ABC license be obtained from a location in the same census track. Staff reported that there were many census tracks within the West Athens-Westmont and that there were few ABC permits within the specific census track. Commissioner Louie changed the condition to state that the applicant must put in a good faith effort to acquire the ABC permit from the census track within a 60 day period and that if it was not possible after 60 days that the applicant could acquire the ABC permit from within the unincorporated community of West Athens-Westmont. The applicant's representative, Fred Cohen, provided testimony in favor of the project and Henry Porter provided testimony in opposition to the project. Commissioner Modugno suggested that the hours for the sale of beer and wine be limited from 8:00 a.m. to 10:00 p.m. Commissioner Pincetl asked staff why on some ABC permits there was a security guard required by condition, yet on other permits there was not. Staff responded that this was not a standard condition for all ABC permits and was assessed on a case by case basis. Assistant Administrator Mitch Glaser stated that Regional Planning has been reviewing a security guard condition for the standard conditions template and would have a report for the Commission in the near future. Commissioner Louie stated he did not think a security guard would be needed for this project; however, he wanted a condition that a minimum of three employees shall be present at the business site during the hours of alcohol sales. There were no further questions or testimony. The Commission closed the public hearing and approved CUP No. 201300125 with conditions.

17. The Commission finds that the gas station is located within the Regional Commercial land use designation of the West Athens-Westmont Community plan. This designation is intended for a range of mixed commercial retail and service activities. The gas station and the 2,900 square foot convenience store and the service of off-site beer and wine are uses that provide commercial retail and services. Therefore, these uses are consistent with the adopted general plan and the local community plan.
18. The Commission finds that the project meets lot coverage, landscaping, parking, and outdoor display standards of the C-2 zone; the height standards of the West Athens-Westmont CSD; the enhanced pedestrian character development standards of the Vermont Station Green Line TOD requirement; and the shelf space requirements for alcoholic beverage sales. Therefore, the project is consistent with the Zoning Code.
19. The Commission finds that the gas station with a convenience store is a use that the Green Line TOD Strategy Report recommends to be allowed in the TOD with a conditional use permit and that the project is in-fill development of an under-utilized property that will be designed to respect the TOD requirements. Therefore, the project is consistent with the Green Line TOD Strategy Report.
20. The Commission finds that the subject property is located on Imperial Highway adjacent to its intersection with Vermont Avenue. This intersection is one of the major vehicular intersections of the area and is developed with a variety of commercial uses including a retail shopping plaza, eating establishments, a tire shop, and a termite control office. Imperial Highway is a 6-lane, 100-foot major east-west transportation corridor to and from the Los Angeles International Airport. Vermont Avenue is an 8-lane, 200-foot major north-south transportation corridor that connects various cities and unincorporated communities in the Los Angeles Basin. Vermont Avenue also serves as a freeway entrance/exit for the I-105 Freeway just west of its junction with the I-110 Freeway. The project site is adequately served by existing utility and street infrastructure and meets current zoning requirements. Therefore, the requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
21. The Commission finds that the project site is zoned for commercial uses and that the gas station and convenience store met the applicable zoning requirements and parking requirements for commercial uses. Therefore, the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
22. The Commission finds that the project is located on Imperial Highway, which is a County-designated and improved 100 foot-wide major highway, with three lanes for traffic traveling in either direction. The site's vehicular ingress and egress is provided

by a 30 foot driveway. Therefore, the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

23. The Commission finds that there is one sensitive use that is located within 600 feet of the subject property, a church. The primary purposes of the gas station is to sell gas and no more than five percent of the shelf space in the convenience store will be devoted to the sale of beer and wine. In addition, the church is buffered by Imperial Highway and several businesses. Therefore, the requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground or any similar use within a 600-foot radius.
24. The Commission finds that there are residential structures to the west of the property. However, this residential area is buffered by 60 foot wide New Hampshire Avenue and 10 feet of landscaping on the property line. The convenience store is located on the eastern side of the property, which is the furthest area away from the residential uses. No more than five percent of the shelf space at the convenience store will be devoted to the sale of beer and wine. Therefore, the requested use at the proposed location will not adversely affect the residential uses within the immediate vicinity.
25. The Commission finds that there are two establishments within 500-feet of the project that have a license to sell alcohol. However, there is a finding of public convenience and necessity as the sale of beer and wine for off-site consumption is incidental to the operation of the convenience store and gas station. The project site is located on Imperial Highway, which is a major transportation corridor in the Los Angeles Basin and a gas station provides needed services to motorists traveling along this road. The convenience store provides a variety of non-alcoholic convenience goods for neighbors within the area. The sale of alcoholic beverages will be limited to not more than five percent of the shelf space in the store. The development and use of this property as a gas station and convenience store will provide infill development on an underutilized property and provide employment opportunity in the area. Therefore, the project provides public convenience or necessity.
26. The Commission finds that the development and use of this property as a gas station and convenience store will provide infill development on an underutilized property and provide employment opportunity in the area and sales tax revenue for respective government agencies. Therefore, the requested use at the proposed location will not adversely affect the economic welfare of the surrounding community.
27. The Commission finds that the project will be new construction in the same scale and character of other commercial structures in the immediate vicinity. Therefore, the exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction

within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within said neighborhood.

28. The Commission finds that to ensure continued compatibility between the Project and the surrounding land uses, it is necessary to limit the conditional use permit to 15 years.
29. The Commission finds that pursuant to sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at libraries located in the vicinity of West Athens community. On September 10, 2015, a total of 69 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 500-foot radius from the Project Site, as well as 5 notices to those on the courtesy mailing list for the West Athens-Westmont Zoned District and to any additional interested parties.
30. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits West Section, Department of Regional Planning.

**BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES THAT:**

**WITH RESPECT TO THE CONDITIONAL USE PERMIT:**

- A. That the proposed use will be consistent with the adopted general plan for the area.
- B. That the project is consistent with the Green Line TOD Strategy Report.
- C. That the requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- D. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

- E. That the site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

**WITH RESPECT TO ALCOHOLIC BEVERAGE SALES:**

- F. That the requested use at the location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground or any similar use within a 600-foot radius.
- G. That the requested use at the location will not adversely affect the residential uses within the immediate vicinity.
- H. That the project provides public convenience or necessity.
- I. That the requested use at the proposed location will not adversely affect the economic welfare of the nearby community.
- J. That the exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.

**THEREFORE, THE REGIONAL PLANNING COMMISSION:**

1. Certifies that the Negative Declaration for the Project was completed in compliance with CEQA and the State and County Guidelines related thereto; certifies that it independently reviewed and considered the Negative Declaration and that the Negative Declaration reflects the independent judgment and analysis of the Commission as to the environmental consequences of the Project; determined that on the basis of the whole record before the Commission that there is no substantial evidence that the Project will have a significant effect on the environment; and adopts the Negative Declaration; and
2. Approves Conditional Use Permit 201300125, subject to the attached conditions.

**ACTION DATE: January 20, 2016**

**VOTE: 4:1:0:0**

Concurring: Louie, Valadez, Modugno, Pedersen

Dissenting: Pincetti

Abstaining: 0

Absent: 0

MKK:sct

1/20/2016

c: Zoning Enforcement, Building and Safety



**CONDITIONS OF APPROVAL  
COUNTY OF LOS ANGELES  
PROJECT NO. R2013-02546-(2)  
CONDITIONAL USE PERMIT NO. 201300125**

**PROJECT DESCRIPTION**

The project is the off-site sale of beer and wine at a 2,900 square foot convenience store of a gas station located in the Vermont Station Green Line Transit Oriented District subject to the following conditions of approval:

**GENERAL CONDITIONS**

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition Nos. 11, and 12. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, 10, and 12 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. **If, after the 2035 General Plan becomes effective** and a conditional use permit is no longer required for the operation of a gas station and convenience store, then entitlement to use of the property thereafter shall be subject to the regulation in effect and a conditional use permit would not be needed to continue the operation of the gas station and convenience store from that point forward unless a new zone, overlay, or plan requires differently. The off-site sale of beer and wine shall continue to require a conditional use permit.
9. **The grant for the off-site sale of beer and wine shall terminate on January 20, 2031.** If the permittee intends to continue the off-site sale of beer and wine after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new Conditional Use Permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the off-site sale of beer and wine may require additional or different permits and would be subject to the then-applicable regulations.
10. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
11. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation

applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of **\$4,000.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for **ten (10) bi-annual (twice per year) inspections for the first five (5) years and ten (10) annual (once per year) inspections for the final ten (10) years of the grant term for a total of twenty (20) inspections.** Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

12. Within five (5) working days from the day after your appeal period ends on **February 3, 2016**, the permittee shall remit processing fees at the County Registrar-Recorder/County Clerk Office, payable to the County of Los Angeles, in connection with the filing and posting of a Notice of Determination (NOD) for this project and its entitlements in compliance with Section 21152 of the Public Resources Code. Unless a Certificate of Exemption is issued by the California Department of Fish and Wildlife pursuant to Section 711.4 of the California Fish and Game Code, the permittee shall pay the fees in effect at the time of the filing of the NOD, as provided for in Section 711.4 of the Fish and Game Code, currently **\$2,285.00** (\$2,210.00 for a Negative Declaration or Mitigated Negative Declaration plus \$75.00 processing fee). No land use project subject to this requirement is final, vested or operative until the fee is paid.
13. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
14. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of the Fire Department.

15. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of the Department of Public Works.
16. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
17. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
18. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

19. The subject property shall be developed and maintained in substantial conformance with the plans marked Exhibit "A." If changes to any of the plans marked Exhibit "A" are required as a result of instruction given at the public hearing, **three (3) copies** of a modified Exhibit "A" shall be submitted to Regional Planning by **December 21, 2015**.
20. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three copies** of the proposed plans to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A". All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

#### **PERMIT SPECIFIC CONDITIONS - SALE OF ALCOHOLIC BEVERAGES**

21. The conditions of this grant shall be retained on the premises at all times and shall be immediately produced upon request of any County Sheriff, Zoning Inspector or Department of Alcoholic Beverage Control agent. The manager and all employees of the facility shall be knowledgeable of the conditions herein.
22. This grant authorizes the sale of alcoholic beverages from 8:00 a.m. to 10:00 p.m., seven days a week.

23. Loitering shall be prohibited on the subject property, including loitering by employees of the subject property. Signage in compliance with Section 22.52 Part 10 of the County Code shall be placed on the premises indicating said prohibition.
24. The consumption of alcoholic beverages shall be prohibited on the subject property. The permittee shall post signage on the premises prohibiting consumption of alcoholic beverages on the premises.
25. Employees shall enforce the regulations against loitering and on-site consumption of alcoholic beverages and to call local law enforcement if necessary.
26. The permittee shall post or otherwise provide telephone numbers of local law enforcement agencies and taxicab companies at or near the cashier, or similar public service area. Such telephone numbers shall be visible by and available to the general public.
27. The permittee, and all managers and designated employees of the establishment, who directly serve or are in the practice of selling alcoholic beverages, shall participate in the LEAD (Licensee Education on Alcohol and Drugs) Program provided by the State of California Department of Alcoholic Beverage Control. All new designated employees shall be required to attend. The licensee shall display a certificate or plaque in a publicly accessible area of the establishment such as the lobby, indicating they have participated in this program. Proof of completion of the facilities' training program by employees, the licensee and all managers shall be available upon request.
28. All regulations of the State of California prohibiting the sale of alcoholic beverages to minors shall be strictly enforced.
29. The permittee shall not advertise the sale of alcoholic beverages on the exterior of any structure on the subject property including windows, walls, fences or similar structures.
30. No beer or wine advertising shall be located on motor fuel islands.
31. The permittee shall display alcoholic beverages only in the cooler or shelving designated for storage of said beverages as depicted on the "shelf plan" labeled Exhibit 'A'. No additional display of alcoholic beverages shall be provided elsewhere on the premises.
32. There shall be no beer sold in containers under one quart or in less than six-pack quantities.
33. Malt beverages (e.g. beer, ale, stout and malt liquors) shall not be sold in a bottle or container greater than 750 milliliters or 25.4 ounces.

34. There shall be no wine, with the exception of wine coolers, sold in containers of less than 750 milliliters. No miniatures of any type may be sold. Wine coolers shall not be sold in less than four-pack quantities.
35. No malt liquors and/or malt based products with alcoholic content greater than five percent by volume shall be sold.
36. The sale of fortified wines shall be prohibited.
37. The licensed premises shall have no coin operated amusements, such as pool tables, juke boxes, video games, small carousel rides or similar riding machines, with the exception of official State Lottery machines.
38. The permittee shall provide adequate lighting above all entrances and exits to the premises.
39. The permittee shall provide adequate lighting in all parking areas and walkways under control of the permittee.
40. All lighting required by this grant shall be of sufficient power to illuminate and make easily discernable the appearance and conduct of all persons within lighted areas during operating hours and shall be designed so as to direct light and glare only onto the facility premises. Said lighting and glare shall be deflected, shaded and focused away from all adjoining properties.
41. All parking lot and other exterior lighting shall be hooded and directed away from neighboring residences to prevent direct illumination and glare, and shall be turned off within thirty minutes after conclusion of activities, with the exception of sensor-activated security lights and/or low level lighting along all pedestrian walkways leading to and from the parking lot.
42. The permittee shall install a recorded video system with 24-hour monitoring of both the interior and exterior of the store. Recorded videos shall be furnished to the Los Angeles County Department of Regional Planning and Los Angeles County Sheriff's Department upon request.
43. All litter and trash shall be collected regularly from the premises and the adjacent right-of-way.
44. The permittee shall comply with all conditions set forth in the attached County Public Works Department letter dated August 5, 2015.
45. The permittee shall comply with all conditions set forth in the attached County Fire Department letter dated June 18, 2015.
46. The permittee shall comply with all conditions set forth in the attached County Public Health Department letter dated September 23, 2015.

47. A minimum of three employees shall be on-site during the hours of alcohol sales.
48. Prior to the use of this permit, the permittee must either acquire an existing license for the off-site sale of beer and wine (ABC type 20), or acquire and retire a different ABC type license before purchasing a new ABC license type 20. The existing license must be in use within Census Tract 6028.01. If the permittee is unable to acquire an existing license in compliance with this condition within 60 days of the effective date of this grant, and upon providing evidence satisfactory to the Director of Regional Planning ("Director") that the permittee has made best efforts to obtain an existing license in use within Census Tract 6028.01, the permittee may acquire, or acquire and retire, as the case may be, an existing license within unincorporated community of West Athens-Westmont.

**Attachments:**

Public Works Department Letter dated August 5, 2015

Fire Department Letter dated June 18, 2015

Public Health Department Letter dated September 23, 2015



GAIL FARBER, Director

# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
Telephone: (626) 458-5100  
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

August 5, 2015

IN REPLY PLEASE

REFER TO FILE: LD-2

TO: Mi Kim  
Zoning Permits West Section  
Department of Regional Planning

Attention Shaun Temple

FROM: Art Vander Vis  
Land Development Division  
Department of Public Works

**CONDITIONAL USE PERMIT (CUP) NO. 201300125**  
**PROJECT NO. R2013-02546**  
**11408 NEW HAMPSHIRE AVENUE**  
**ASSESSOR'S MAP BOOK NO. 6079, PAGE 21, PARCEL NOS. 1, 2, AND 3**  
**UNINCORPORATED COUNTY COMMUNITY OF WEST ATHENS**

We reviewed the site plan for the proposed project located at 11408 New Hampshire Avenue in the unincorporated County community of West Athens. The proposed project involves the construction of a new Arco AM/PM gas station that consists of 12 fueling positions, a 2,900-square-foot convenience store, 13 on-site parking spaces, and landscape improvements.

- ☒ Public Works recommends approval of this CUP.
- ☐ Public Works does NOT recommend approval of this CUP.

**Upon approval of the CUP, we recommend the following conditions:**

### Road

1. Dedicate an additional 4 feet of right of way on the alley along the property frontage to achieve an ultimate right-of-way width of 10 feet from the centerline. A fee will be required for the preparation of the dedication documents.

Permission is granted to waive the 5 feet of additional alley dedication that would normally be required beyond the additional 4 feet mentioned above since the existing development pattern would prevent any future widening to the alley.



2. Vacate the existing 5-foot slope easement along the property frontage on Imperial Highway since the existing site has a predominantly flat topography and the easement is no longer necessary. A fee will be required for the preparation of the vacation documents. For questions regarding the vacation process, please contact Jose Suarez of Survey/Mapping and Property Management Division at (626) 458-7060 or [jsuarez@dpw.lacounty.gov](mailto:jsuarez@dpw.lacounty.gov).
3. Dedicate a right-of-way corner cut-off (beginning of curb return [BCR] to end of curb return [ECR]), based on a 35-foot curb-return radius, at the southeast corner of Imperial Highway and New Hampshire Avenue to the satisfaction of Public Works. A fee will be required for the preparation of the dedication documents.
4. Dedicate 10 feet of right of way for a corner cut-off at the southwest corner of the intersection of Imperial Highway and the alley to the satisfaction of Public Works. A fee will be required for the preparation of the dedication documents.
5. Construct all driveway approaches at the site to meet current Americans with Disabilities Act (ADA) guidelines. Relocate any affected utilities.
6. Reconstruct the existing curb ramp at the southeast corner of Imperial Highway and New Hampshire Avenue to meet current ADA guidelines.
7. Construct 4 feet of additional pavement and base on the alley to achieve an ultimate width of 10 feet from the centerline, along the property frontage, to the satisfaction of Public Works. Reconstruction of the existing pavement on the alley may be necessary, along the property frontage, depending on the existing longitudinal grades and the cross slopes of the alley.
8. Reconstruct the alley intersection at Imperial Highway to meet current ADA guidelines and to accommodate the required alley widening.
9. Close the unused existing driveway located on New Hampshire Avenue in the vicinity of the southerly property line with standard curb, gutter, and sidewalk.
10. Reconstruct the sidewalk on New Hampshire Avenue, along the property frontage, to be a minimum of 5 feet and to meet current ADA guidelines.
11. Reconstruct the existing curb return to provide a 35-foot curb return radius at the southeast corner of Imperial Highway and New Hampshire Avenue. This will involve reconstruction of the pavement and cross gutter in the vicinity of the curb return. Relocate any affected utilities.

12. Provide and continuously maintain adequate sight distance (10 feet minimum) from all proposed driveways to the back of the sidewalk, to the satisfaction of Public Works. This means there cannot be any obstructions, such as landscaping, above 3 feet in height within the 10-foot sight triangle.
13. As indicated in the attached March 10, 2015, letter from Public Works' Traffic and Lighting Division, Public Works generally agrees with the Traffic Impact Study dated January 29, 2015, that the traffic generated by the project, alone and cumulatively with other related projects, will not have a significant impact to County roadways or intersections in the area.
14. Execute a drainage covenant for the maintenance of any parkway drains/curb drains that are installed as part of the project.
15. Plant street trees along the property frontage on Imperial Highway and New Hampshire Avenue to the satisfaction of Public Works. Please contact Norik Sahak of Public Works' Road Maintenance Division, Maintenance District 3, at (310) 648-6448 or [nsahak@dpw.lacounty.gov](mailto:nsahak@dpw.lacounty.gov) to obtain information regarding the desirable tree species to be planted along the property frontage.
16. Acquire street improvement plan approval before obtaining a grading permit.
17. Execute an Agreement to Improve for the street improvements prior to issuance of a building permit.

For questions regarding the road conditions, please contact Matthew Dubiel of Land Development Division at (626) 458-4921 or [mdubiel@dpw.lacounty.gov](mailto:mdubiel@dpw.lacounty.gov).

#### **Drainage/Grading**

1. Submit drainage and grading plan for review and approval that complies with the approved hydrology/Low-Impact Development (LID) study dated May 19, 2015 (or the latest revision). The plans need to call out the construction of at least all drainage devices and details, paved driveways, elevation of all pads, water quality devices, LID features, and existing easements. Additionally, the applicant is required to obtain the necessary easement holder approvals for the proposed work.

Additionally, the grading plan must provide for the proper distribution of drainage, including contributory drainage from adjoining properties, and comply with the current Municipal Separate Storm Sewer System Permit, which can be found at [http://www.waterboards.ca.gov/losangeles/water\\_issues/programs/stormwater/municipal/index.shtml](http://www.waterboards.ca.gov/losangeles/water_issues/programs/stormwater/municipal/index.shtml).

2. Per County Code Section 12.84.440, comply with LID standards in accordance with the LID Standards Manual, which can be found at <http://dpw.lacounty.gov/idd/web/forms.aspx>.
3. Obtain soil/geology approval of the grading plan by Public Works' Geotechnical and Materials Engineering Division.
4. Regulatory agency approvals/permits may be required prior to grading plan approval.
5. Provide maintenance agreements/covenants for any privately maintained drainage devices.

For questions regarding the drainage/grading conditions, please contact Mr. Dubiel at (626) 458-4921 or [mdubiel@dpw.lacounty.gov](mailto:mdubiel@dpw.lacounty.gov).

#### **Water**

1. Comply with all requirements stipulated by the local water purveyor. The attached Will Serve letter issued by Golden State Water Company will expire on September 24, 2015. It shall be the sole responsibility of the applicant to renew the aforementioned Will Serve letter upon expiration and abide by all requirements of the water purveyor.

For questions regarding the water condition, please contact Tony Khalkhali of Land Development Division at (626) 458-4910 or [tkhalkh@dpw.lacounty.gov](mailto:tkhalkh@dpw.lacounty.gov).

#### **Building and Safety**

1. Submit building plans to Public Works' Building and Safety Division, Southwest District office, for review and permit issuance.

For questions regarding the building and safety condition, please contact Clint Lee of Building and Safety Division at (626) 458-3154 or [cllee@dpw.lacounty.gov](mailto:cllee@dpw.lacounty.gov).

**Environmental**

1. Prior to construction, the applicant must obtain a permit for the installation of the proposed underground storage tanks from Public Works' Environmental Programs Division. Please contact the Underground Tank Unit at (626) 458-3510 for more information on underground storage tank permit requirements.
2. Prior to the issuance of building permits, the applicant must comply with Section 110.3 of the Los Angeles County Building Code, which requires that a building or structure located on or within 1,000 feet (304.8 m) of a landfill containing decomposable material must be protected against landfill gas intrusion. The project site is located within 1,000 feet of the Caltrans-Leinard Flynn Dump Site No. 17. Submit Methane mitigation plans to Environmental Programs Division, Landfills Section, Methane Unit, for review and approval. For more information and submittal requirements, please contact the Methane Unit at (626) 458-2193.
3. Prior to the issuance of building permits, the applicant must submit a stormwater registration application to Environmental Programs Division for review and approval. For more information on stormwater requirements, please contact the Stormwater Unit at (626) 458-3513.
4. Prior to issuance of building permits, the applicant is required to submit 4 sets of plans to the Industrial Waste Unit to approve the stormwater treatment system in the area before operation. For more information, please contact the Industrial Waste Unit at (626) 458-3517.
5. The applicant/owner must provide designated areas for the collection and removal of recyclable materials such as cardboard, beverage containers, and other materials that could be diverted from landfill disposal, in accordance with Title 14, Division 7, Section 17313 of the California Code of Regulations, and as approved by Environmental Programs Division.

For questions regarding the environmental conditions, please contact Patrick Holland of Environmental Programs Division at (626) 458-3592 or [pholland@dpw.lacounty.gov](mailto:pholland@dpw.lacounty.gov).

### **Street Lights**

1. Provide street lights on concrete poles with underground wiring along the property frontage on Imperial Highway and New Hampshire Avenue to the satisfaction of Public Works. Submit street lighting plans showing all existing lights along with existing and/or proposed underground utilities plans as soon as possible to Traffic and Lighting Division's Street Lighting Section to allow the maximum time for processing and approval.

The applicant shall comply with conditions of acceptance listed below in order for the lighting district to pay for the future operation and maintenance of the street lights. All street lights shall be installed per approved plans. It shall be the sole responsibility of the owner of the project to have all street lighting plans approved prior to the issuance of building permits. The required street lighting improvements shall be the sole responsibility of the owner of the project, and the installation must be accepted by the lighting districts, per approved plans, prior to issuance of a Certificate of Occupancy.

2. The following are conditions of acceptance for street light transfer of billing:
  - a. All street lights in the project, or current project phase, must be constructed according to Public Works-approved plans.
  - b. The contractor shall submit one complete set of As-built plans.

Provided the above conditions are met; all street lights in the project, or approved project phase, have been energized; and the developer has requested a transfer of billing by at least January 1 of the previous year, the lighting district can assume responsibility for the operation and maintenance of the street lights by July 1 of any given year. The transfer of billing could be delayed one or more years if the above conditions are not met.

For questions regarding the street lighting conditions, please contact Jeff Chow of Traffic and Lighting Division at (626) 300-4753 or [jchow@dpw.lacounty.gov](mailto:jchow@dpw.lacounty.gov).

If you have any other questions or require additional information, please contact Mr. Dubiel at (626) 458-4921 or [mdubiel@dpw.lacounty.gov](mailto:mdubiel@dpw.lacounty.gov).

MD:tb

F:\dpw\subpcheck\plan\cup\cup 201300125-11408 s new hampshire\TCUP 201300125\2015-07-20 tcup 201300125 submittal\2015-07-23 docx

Attach.



September 24, 2014

Mr. Fred Cohen  
CJC Design, Inc.  
11801 Pierce Street, Suite 246  
Riverside, CA 92505

Re: **Will Serve Letter**  
**11408 New Hampshire**  
**County of Los Angeles, California**

Dear Mr. Cohen:

This letter is to inform you that water service is available to the above referenced address from Golden State Water Company's (GSWC) Southwest District water system located in County of Los Angeles. Service to the address can be provided from our existing water facilities within New Hampshire Avenue.

Upon completion and execution of an agreement between Golden State Water Company (GSWC), and that contains satisfactory financial arrangements and other provisions governing the extension of water service under the Water Service Agreement, GSWC will begin providing water service for the referenced address once all owner obligations have been satisfied. Analysis of more detailed development plans may require the owner to participate in the construction of special facilities prior to the Company providing water service.

GSWC is committed to providing water service to all customers within its service area, consistent with the company's obligations under rules, statutes and regulations of both the California Department of Public Health and the California Public Utilities Commission.

Unless modified or extended by GSWC, this Will Serve Letter shall terminate and be of no further force and effect one year from the date indicated above.

If you have any questions concerning the issues addressed in this letter, please let us know.

Sincerely,

Melynda Hoim  
Operations Engineering Technician  
Southwest District



**COUNTY OF LOS ANGELES FIRE DEPARTMENT  
FIRE PREVENTION DIVISION**

Land Development Unit  
5823 Rickenbacker Road  
Commerce, CA 90040  
Telephone (323) 890-4243, Fax (323) 890-9783

PROJECT: R2013-02546

MAP DATE: October 6, 2014

LOCATION: 11408 New Hampshire, Los Angeles (CO)

---

**REVISED CONDITIONS: Supersedes Fire Dept. Conditions Dated 12/03/ 2014**

**THE FIRE DEPARTMENT RECOMMENDS CLEARANCE OF THIS PROJECT TO  
PROCEED TO PUBLIC HEARING AS PRESENTLY SUBMITTED WITH THE  
FOLLOWING CONDITIONS OF APPROVAL.**

**CONDITIONS OF APPROVAL – ACCESS**

1. The access is adequate for this project.
2. All on-site Fire Department vehicular access roads shall be labeled as "Private Driveway and Fire Lane" on the site plan along with the widths clearly depicted on the plan. Labeling is necessary to assure the access availability for Fire Department use. The designation allows for appropriate signage prohibiting parking.
3. Fire Department vehicular access roads must be installed and maintained in a serviceable manner prior to and during the time of construction. Fire Code 501.4
4. The Fire Apparatus Access Roads and designated fire lanes shall be measured from flow line to flow line.
5. Provide a minimum unobstructed width of 26 feet, exclusive of shoulders and an unobstructed vertical clearance "clear to sky" Fire Department vehicular access to within 150 feet of all portions of the exterior walls of the first story of the building, as measured by an approved route around the exterior of the building. Fire Code 503.1.1 & 503.2.2
6. The dimensions of the approved Fire Apparatus Access Roads shall be maintained as originally approved by the fire code official. Fire Code 503.2.2.1



## **COUNTY OF LOS ANGELES FIRE DEPARTMENT FIRE PREVENTION DIVISION**

Land Development Unit  
5823 Rickenbacker Road  
Commerce, CA 90040  
Telephone (323) 890-4243, Fax (323) 890-9783

PROJECT: R2013-02546

MAP DATE: October 6, 2014

LOCATION: 11408 New Hampshire, Los Angeles (CO)

---

7. A minimum 5 foot wide approved firefighter access walkway leading from the fire department access road to all required openings in the building's exterior walls shall be provided for firefighting and rescue purposes. Fire Code 504.1
8. Security barriers, visual screen barriers or other obstructions shall not be installed on the roof of any building in such a manner as to obstruct firefighter access or egress in the event of fire or other emergency. Parapets shall not exceed 48 inches from the top of the parapet to the roof surface on more than two sides. Fire Code 504.5
9. Approved building address numbers, building numbers or approved building identification shall be provided and maintained so as to be plainly visible and legible from the street fronting the property. The numbers shall contrast with their background, be Arabic numerals or alphabet letters, and be a minimum of 4 inches high with a minimum stroke width of 0.5 inch. Fire Code 505.1

### **CONDITIONS OF APPROVAL – WATER STSTEM**

1. All fire hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal, and shall be installed in accordance with the County of Los Angeles Fire Department Regulation 8.
2. All required PUBLIC fire hydrants shall be installed, tested and accepted prior to beginning construction. Fire Code 501.4
3. The Fire Flow Tests performed by the Golden State Water Company on 11/17/2014 for this project are adequate. The required fire flow for the public fire hydrants for this project is 1500 gpm at 20 psi residual pressure for 2 hours.

For any questions regarding the report, please contact FPEA Wally Collins at (323) 890-4243 or at [Wally.Collins@fire.lacounty.gov](mailto:Wally.Collins@fire.lacounty.gov).

Reviewed by: Wally Collins

Date: June 18, 2015





**CYNTHIA A. HARDING, M.P.H.**  
Interim Director

**JEFFREY D. GUNZENHAUSER M.D., M.P.H.**  
Interim Health Officer

**ANGELO J. BELLOMO, REHS, QEP**  
Director of Environmental Health

**TERRI S. WILLIAMS, REHS**  
Assistant Director of Environmental Health

5050 Commerce Drive  
Baldwin Park, California 91706  
TEL (626) 430-5100 • FAX (626) 813-3000

[www.publichealth.lacounty.gov](http://www.publichealth.lacounty.gov)

**BOARD OF SUPERVISORS**

**Hilda Solis**  
First District

**Mark Ridley-Thomas**  
Second District

**Shella Kuehl**  
Third District

**Don Knabe**  
Fourth District

**Michael D. Antonovich**  
Fifth District

September 23, 2015

**TO:** Shaun Temple  
Regional Planning Assistant II  
Department of Regional Planning

**FROM:** Michelle Tsiebos, REHS *(M.T.)*  
Environmental Health Division  
Department of Public Health

**SUBJECT: CUP CONSULTATION**  
**PROJECT NO. R2013-02546/ RCUP 201300125**  
**11408 S. New Hampshire Ave., Los Angeles**



Public Health recommends approval of this CUP.



Public Health does **NOT** recommend approval of this CUP.

The Department of Public Health-Environmental Health Division has reviewed the information provided for the project identified above. The CUP is to authorize the construction of a new ARCO AM/PM gas station with 2900 SF convenience store and six dispenser canopies which provide 12 fueling positions. The Department recommends approval of this CUP with the following conditions:

1. The project shall be connected to existing public water and public sewer facilities.
2. The project shall comply with the requirements of the Los Angeles County Noise Control Ordinance as found in Title 12 Chapter 12.08 of the Los Angeles County Code.
3. The project shall comply with all Public Health requirements relating to the construction and operation of food establishments. Three sets of construction plans for the proposed food establishment shall be submitted to the Department's Plan Check Program for review and approval prior to issuance of any building permits. The proposed food establishment must be issued a Public Health Permit to operate by this Department after construction. For questions regarding this requirement, please contact the Plan Check Program at (626) 430-5560.

For any questions regarding this report, please contact me at (626) 430-5382 or at [mtsiebos@ph.lacounty.gov](mailto:mtsiebos@ph.lacounty.gov).

## Notice of Determination

## Appendix D

## To:

☐ Office of Planning and Research  
 U.S. Mail: Street Address:  
 P.O. Box 3044 1400 Tenth St., Rm 113  
 Sacramento, CA 95812-3044 Sacramento, CA 95814

☒ County Clerk  
 County of: Los Angeles Environmental Filings  
 Address: 12400 E. Imperial Hwy., #1201  
 Norwalk, CA 90650

## From:

Public Agency: LA County Regional Planning  
 Address: 320 W. Temple St., 13th Floor  
 Los Angeles, CA 90012  
 Contact: Shaun Temple  
 Phone: (213) 281-8423

Lead Agency (if different from above):

Address: \_\_\_\_\_  
 Contact: \_\_\_\_\_  
 Phone: \_\_\_\_\_

**SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.**

State Clearinghouse Number (if submitted to State Clearinghouse): \_\_\_\_\_

Project Title: Project No. R2013-02546-(2) / Conditional Use Permit No. 201300125

Project Applicant: Fred Cohen, CJC Design, Inc.

Project Location (include county): 11408 New Hampshire Avenue, Los Angeles, Los Angeles County

## Project Description:

The project is a request for a conditional use permit for the construction and operation of a gasoline service station in the C-2 (Neighborhood Business) Zone located along Imperial Highway in the urbanized community of West Athens-Westmont. This project is located in the Vermont Station - Transit Oriented Development (TOD), which requires automobile related services, including gasoline service stations, to be approved by a conditional use permit. As the project includes the storage of gasoline an Initial Study was prepared.

This is to advise that the LA County Regional Planning has approved the above  
☒ Lead Agency or ☐ Responsible Agency

described project on January 20, 2016 and has made the following determinations regarding the above  
 (date)  
 described project.

1. The project [☐ will ☒ will not] have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.  
☒ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [☐ were ☒ were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [☐ was ☒ was not] adopted for this project.
5. A statement of Overriding Considerations [☐ was ☒ was not] adopted for this project.
6. Findings [☒ were ☐ were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles

Signature (Public Agency): Shaun Temple Title: Senior Regional Planning Assistant

Date: 1/21/16 Date Received for filing at OPR: \_\_\_\_\_

## Notice of Determination

## Appendix D

## To:

☐ Office of Planning and Research

U.S. Mail:

Street Address:

P.O. Box 3044

1400 Tenth St., Rm 113

Sacramento, CA 95812-3044 Sacramento, CA 95814

☒ County Clerk

County of: Los Angeles Environmental Filings

Address: 12400 E. Imperial Hwy., #1201

Norwalk, CA 90650

## From:

Public Agency: LA County Regional Planning

Address: 320 W. Temple St., 13th Floor

Los Angeles, CA 90012

Contact: Shaun Temple

Phone: (213) 281-8423

Lead Agency (if different from above):

Address:

Contact:

Phone:

**SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.**

State Clearinghouse Number (if submitted to State Clearinghouse):

Project Title: Project No. R2013-02546-(2) / Conditional Use Permit No. 201300125

Project Applicant: Fred Cohen, CJC Design, Inc.

Project Location (include county): 11408 New Hampshire Avenue, Los Angeles, Los Angeles County

## Project Description:

The project is a request for a conditional use permit for the construction and operation of a gasoline service station in the C-2 (Neighborhood Business) Zone located along Imperial Highway in the urbanized community of West Athens-Westmont. This project is located in the Vermont Station - Transit Oriented Development (TOD), which requires automobile related services, including gasoline service stations, to be approved by a conditional use permit. As the project includes the storage of gasoline an Initial Study was prepared.

This is to advise that the LA County Regional Planning has approved the above  
(☒ Lead Agency or ☐ Responsible Agency)

described project on January 20, 2016 and has made the following determinations regarding the above  
(date)  
described project.

1. The project [☐ will ☒ will not] have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.  
☒ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [☐ were ☒ were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [☐ was ☒ was not] adopted for this project.
5. A statement of Overriding Considerations [☐ was ☒ was not] adopted for this project.
6. Findings [☒ were ☐ were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles

Signature (Public Agency): Shaun Temple Title: Senior Regional Planning Assistant

Date: 1/21/16 Date Received for filing at OPR: \_\_\_\_\_